



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Paper No. **420**

MIKHAIL LEVITIN
P.O. Box 102
REEDERS PA 18352-0102

COPY MAILED

JUN 21 2006

OFFICE OF PETITIONS

In re Application of	:	
MIKHAIL LEVITIN And Boris	:	
Khaytin	:	
Application No. 09/808,962	:	DECISION ON PETITION
Filed: March 16, 2001	:	UNDER 37 C.F.R. §1.137(B)
Title: METHOD OF RUNNING A	:	
CONDENSER FOR LIQUIDATION OF	:	
STEAM OR VAPOR	:	

This is a decision on the petition filed March 24, 2006, pursuant to 37 C.F.R. §1.137(b)¹, to revive the above-identified application.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action, mailed May 23, 2002, which set a shortened statutory period for reply of three (3) months. No response was received, and no extensions of time under the provisions of 37 C.F.R. §1.136(a) were requested. Accordingly, the above-identified application became abandoned on June 24, 2002. A Notice of Abandonment was mailed on February 7, 2003.

1 A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

Petitioner has previously submitted an amendment on January 4, 2006. With the present petition, Petitioner has submitted the petition fee.

With the present submission, Petitioner has submitted two copies of the first page of PTO form PTO/SB/64. This form consists of two pages, and each of these pages is required to be submitted - the paper file has been reviewed, and it does not appear that the second page of this form was received. As such, Petitioner has failed to include the proper statement of unintentional delay, and the petition has not been executed, as the signature block appears on the second page of this form.

37 C.F.R. §10.18(a) sets forth:

For all documents filed in the Office in patent, trademark, and other non-patent matters, except for correspondence that is required to be signed by the applicant or party, each piece of correspondence filed by a practitioner in the Patent and Trademark Office must bear a signature, personally signed by such practitioner, in compliance with § 1.4(d)(1) of this chapter.

It is noted that the page entitled "verification" and the certificate of mailing page each contains a signature, however the signature on these pages cannot serve as the signature which is required to be contained on the petition itself, for the portion of the C.F.R. cited above makes it clear that each piece of correspondence must contain a signature. For this reason, the petition is **DISMISSED**.

Any request for reconsideration of this decision under 37 C.F.R. §1.137(b) must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 C.F.R. §1.136(a) are permitted. Failure to respond will result in abandonment of the application. The request for reconsideration should include a cover letter entitled "Renewed Petition under 37 C.F.R. §1.137(b)," and should include both pages of the petition form.

The renewed petition should display "Please deliver to Paul Shanoski, c/o Office of Petitions" in a prominent manner. Any renewed petition may be submitted by mail², hand-delivery³, or facsimile⁴.

2 Mail Stop Petition, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

3 Customer Window, Randolph Building, 401 Dulaney Street, Alexandria, VA, 22314.

4 (571) 273-8300 - please note this is a central facsimile number.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.

The application file will be retained in the Office of Petitions for a period of TWO MONTHS.

A handwritten signature in cursive script, appearing to read "Paul Shanoski".

Paul Shanoski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office